REMARKS

Favorable reconsideration of this application is requested.

Claims 1, 4-8, 10, 11 and 14-16 remain in the case.

Claims 14-16 stand withdrawn from further consideration by the Examiner as not reading on the elected invention.

Claims 1, 5, 6, 11, 12 and 17 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Takai et al.

This rejection clearly has been obviated by the incorporation of the limitations of Claims 2, 3 and 13 into Claim 1, these claims not being so rejected.

Accordingly, withdrawal of the rejection of the claims under 35 U.S.C. § 102(e) over Takai et al. is requested.

Claims 1, 2, 7-13 and 17 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Taniguchi et al.

Claims 3 and 4 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Taniguchi et al., alone, or in view of Kai.

In view of the fact that the limitation of Claim 3 has been incorporated into Claim 1, the rejection under 35 U.S.C. § 102(b) over Taniguchi et al. clearly is no longer applicable, Claim 3 not being so rejected. With regard to the rejection under 35 U.S.C. § 103, it is submitted that the unobviously superior results obtained by the practice of the claimed invention rebuts any possible prima facie case of obviousness conceivably engendered by the references. Note the examples in the case. Kai relates to forming interference anti-relective and abrasion resistant coatings, clearly unrelated to pretreatment as claimed.

Accordingly, withdrawal of the rejection of the claims under 35 U.S.C. § 103 over Taniguchi et al. also in view of Kai is requested.

Claims 1, 7-11 and 17 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Ogawa et al., Claims 2-6 being rejected under 35 U.S.C. § 103(a) over this same reference.

In view of the incorporation of the limitations of Claims 12 and 13 into Claim 1, Claims 12 and 13 not being so rejected, these rejections clearly have been obviated. No teaching or suggestion is present in this reference for heat treating the coated substrate under these specific treatment conditions as claimed, nor would such be obvious, the reference lacking a motivation to this effect.

Accordingly, withdrawal of the rejection of the claims over Ogawa et al is requested.

With regard to the provisional rejection of Claims 1, 5-8, 10, 11 and 17 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over the claims of copending application Serial No. 10/137,445, similarly, the limitations of the claims not so rejected and incorporated into Claim 1 clearly obviate any basis for such holding. Moreover, this is only a provisional rejection and any possible rejection of the claims thereover could possibly be made of the claims of said copending application over the present claims, the copending application being later filed, and not vice versa, as done here by the Examiner.

Accordingly withdrawal of the obviousness-type double patenting rejection is requested.

Claims 1-13 and 17 also stand rejected under the second paragraph of 35 U.S.C. § 112 for various reasons.

The claims have been amended in a manner believed to obviate the reasons for such rejection.

Should any further amendment to the claims be considered necessary by the Examiner, he is requested to contact the undersigned by telephone so that mutually agreeable language may be arrived at.

Withdrawal of the rejection of the claims under the second paragraph of 35 U.S.C. § 112 thus is requested.

It is submitted that this application is now in condition for allowance and which is solicited.

Respectfully submitted,

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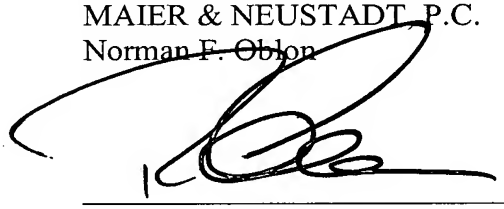
MAIER & NEUSTADT, P.C.
Norman F. Oblon



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